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REMARKS

Claims 1-20 are currently pending in the subject application and are presently under consideration. Favorable consideration of the subject patent application is respectfully requested in view of the comments herein.

**I. Rejection of Claims 1-20 Under 35 U.S.C. §102(e)**

Claims 1-20 stand rejected under 35 U.S.C. §102(e) as being anticipated by Aravamudan *et al.* (US 6,301,609). This rejection should be withdrawn for at least the following reasons. Aravamudan *et al.* does not disclose all limitations recited in the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation set forth in the patent claim.* *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The *identical invention must be shown in as complete detail as is contained in the ... claim.* *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Applicant's claimed invention relates to a system and method for reducing disruption costs associated with notifying a user of messages and/or alerts, and specifically, to a system and method to minimize disruptiveness of notifications from various communications modalities *via* bounded deferral policies associated with a notification platform architecture. Independent claim 1 recites: a notification system, comprising: a monitor that monitors likely available states of an entity; and a bounding system that classifies a notification to the entity according to a predefined protocol and the likely available states, the bounding system facilitating *deferral of the notification based at least in part on the notification classification*. More particularly, the claimed invention provides a notification system that monitors likely states that an entity can be in, and thereupon utilizes a bounding system to classify notifications received by the entity according to a predefined protocol and the monitored likely available states to facilitate deferral of the notification based at least in part on the notification classification

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determined by the bounding system. Aravamudan *et al.* fails to disclose these exemplary features of applicant's invention.

Aravamudan *et al.* relates to use of instant messaging in conjunction with access to data and communication network channels and modes. The Office Action incorrectly contends that Aravamudan *et al.* provides a bounding system that classifies a notification to an entity according to a predefined protocol and the likely available states, and thereupon defers the notification based at least in part on the notification classification determined by the bounding system, at col. 2, lines 25-49, col. 5, line 53-col. 6, line 12, and col. 6, line 64-col. 7, line 20. Applicant's representative avers to the contrary.

The cited reference at col. 2, lines 25-49 provides that a user can create groupings of associates and assign specific priority attributes to particular associates within these groupings. Under this conception, associates that are assigned to the lowest grouping will never communicate directly with the user, but rather will communicate directly with a user proxy registered to the user, while associates that are assigned to the highest grouping will be afforded direct communication with the user when the user is online, or through the user's proxy when the user is offline. Further, the cited document discloses at col. 5, line 53-col. 6, line 12, that when a user receives an incoming communication, the communication is directed by a services executive to the device at which the user can currently be reached. In addition, col. 6, line 64-col. 7, line 20, discloses that when a user initially logs onto a network utilizing one of the user's client premises equipment devices, that the client software installed on the accessed client premises equipment detects network connectivity and generates a message indicating the user's online status and current user address.

However, Aravamudan *et al.* fails to make mention of deferring a notification, let alone deferring the notification based in part on the notification classification generated by a bounding system as in applicant's claimed invention. It is submitted that all that Aravamudan *et al.* realistically discloses or suggests is a system by which a user can create groupings of associates where each associate is assigned (by a user) a discretionary priority level that determines whether messages from a particular associate are communicated directly to the user when the user is online, or directly to the user's proxy when the user is offline.

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In view of at least the foregoing comments, it is readily apparent that the cited reference does not teach or suggest deferral of notifications as in applicant's claimed invention. Accordingly, this rejection of independent claim 1 (and associated dependent claims) should be withdrawn.

#### CONCLUSION


The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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